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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 ANGELA D. WARD and KENNETH
9 M. WARD, individually and as Joint
10 Guardians to N.W. and A.W., their
11 minor children,

12 Plaintiffs,

13 v.

14 NATIONAL RAILROAD PASSENGER
15 CORPORATION d/b/a AMTRAK,

16 Defendant.

CASE NO. C18-5498 BHS

ORDER GRANTING IN PART
AND DENYING IN PART
DEFENDANT’S MOTION FOR
SUMMARY JUDGMENT AND TO
SHOW CAUSE

17 This matter comes before the Court on Defendant National Railroad Passenger
18 Corporation d/b/a Amtrak’s (“Amtrak”) motion for summary judgment on punitive
19 damages and Consumer Protection Act (“CPA”) claim. Dkt. 14.

20 On October 30, 2019, Amtrak filed the instant motion. *Id.* On November 18,
21 2019, Plaintiffs Angela and Kenneth Ward, A.W., and N.W. (“Plaintiffs”) responded.
22 Dkt. 17. On November 22, 2019, Amtrak replied. Dkt. 20.

Upon review of the motion, the Court grants the motion in part and denies the
motion in part on the same grounds and for the same reasons set forth in *Mitchem v. Nat’l*

1 *R.R. Passenger Corp.*, C18-5366-BHS, 2020 WL 91490 (W.D. Wash. Jan. 8, 2020) and
2 related cases cited therein.

3 Regarding the remaining CPA claim, the Court will allow any party to show cause
4 why the claim should not be severed and opened in a new case as was done in the related
5 case of *Cottrell v. Nat'l R.R. Passenger Corp.*, C18-0072-BHS, Dkt. 53 (W.D. Wash.
6 Feb. 26, 2020). Any response may be filed no later than March 6, 2020.

7 **IT IS SO ORDERED.**

8 Dated this 27th day of February, 2020.

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BENJAMIN H. SETTLE
United States District Judge